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August 12, 2024

The Honorable Barbara Moses  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 740  
New York, NY 10007  
Via ECF

Re: Housing Rights Initiative v. Compass, Inc., 1:21-CV-02221  
Letter-Motion Regarding Scheduling Order

**MEMO ENDORSED**

Dear Judge Moses:

Following Plaintiff's July 24, 2024, status letter (ECF Doc. No. 801), counsel for Plaintiff inspected and copied documents at First Management Corp.'s counsel's office on August 2, 2024. Last week, First Management's counsel reported that First Management's employee had searched her email account for agreed-upon keywords and found no additional responsive documents.

Plaintiff now believes that non-party First Management has responded fully to the subpoena, and by extension, that there are no outstanding issues regarding Defendant Chandler Management, LLC's discovery responses. However, Plaintiff and First Management's efforts to resolve these issues pushed past the close-of-fact-discovery deadline of June 26, 2024.

As noted in Plaintiff's June 27, 2024, status letter (ECF Doc. No. 796), Plaintiff has resolved its claims or is finalizing settlements with all other non-defaulting defendants. Therefore, Chandler Management LLC is the only remaining active defendant in this litigation.

Based on the current status of the litigation and for the reasons stated below, Plaintiff requests that the Court modify the scheduling order (ECF Doc. No. 758).

I have requested Chandler Management's position on this letter-motion but have not received a response as of the time of filing.

1. *Stay Expert Discovery Pending Plaintiff's Motion for Partial Summary Judgment*

In its amended complaint (ECF Doc. No. 271), Plaintiff raised claims under the Fair Housing Act, the New York State Human Rights Law, and the New York City Human Rights Law. The allegations regarding the latter two laws relate to Chandler Management and other defendants' alleged source-of-income discrimination (and are supported by direct evidence), while the Fair Housing Act allegations rest on disparate impact (and will likely ultimately require expert testimony).

Plaintiff respectfully requests that the Court stay the discovery deadlines related to expert discovery pending a motion for partial summary judgment on its New York State Law and New York City Human Rights Law claims. Plaintiff is prepared to file such a motion within thirty days of the date of an order granting this request.

Staying expert discovery to permit this motion would have two primary advantages. First, in addition to resolving Plaintiff's state and local law claims, it would narrow the scope of expert discovery because a decision on this motion would help fix what Chandler Management's "policy or practice" is for purposes of the disparate impact analysis and would streamline the remaining activity in this case, including the eventual trial. Second, a decision regarding Plaintiff's state and local law claims would likely facilitate settlement, perhaps obviating the need for expert discovery and a trial altogether.

*2. Alternatively, Extend the Expert Discovery Deadlines*

While fact discovery closed on June 26, 2024, Plaintiff did not obtain a full response to its discovery requests until last week and therefore was not able to seek an expert's analysis of the information. Therefore, should the Court decline to stay expert discovery, Plaintiff respectfully requests that the Court extend the expert discovery deadlines by sixty days. This is the third request for an extension of the discovery deadlines in this case. The prior two requests were granted.

Event	Current Deadline	Proposed Deadline
Disclosure of identity of experts	Plaintiff: August 13, 2024 Defendants: September 16, 2024	Plaintiff: October 13, 2024 Defendants: November 15, 2024
Close of expert discovery	December 23, 2024	February 21, 2025

Respectfully submitted,

/s/ Evan Henley

cc: All counsel of record via ECF

Defendant Chandler Management LLC must file a response to plaintiff's letter no later than **August 19, 2024**.



**Barbara Moses**  
**United States Magistrate Judge**  
**August 16, 2024**